* **HIGH COURT OF DELHI : NEW DELHI**

\+ **RP No. 155/2006 in WA No. 513 of 2004**

Judgment reserved on: 11th October, 2007

% Judgment delivered on: 12th October, 2007

V.N. DUBEY & OTHERS ...Appellants
Through Mr. P. Chakraborty, Advocate.

Versus

DELHI DEVELOPMENT AUTHORITY ...Respondent
Through Ms. Anusuya Salwan, Advocate.

Coram:

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE DR. JUSTICE S. MURALIDHAR

1. Whether the Reporters of local papers may be allowed to see the judgment? Yes

2. To be referred to Reporter or not? Not necessary

3. Whether the judgment should be reported in the Digest? Not necessary

MADAN B. LOKUR, J.

We have heard the review petition for a considerable period

of time.

2. Our attention has been drawn to the Recruitment Regulations for the Post of L.D.C (English) in Delhi Development Authority published in the Gazette of India dated 8th December, 2003 where the description of the post has been shown as LDC-cum-Typist (English / Hindi). The method of recruitment requires that 75% posts are to be filled up by direct recruitment (50% LDC-cum-English Typists & 25% LDC-cum-Hindi Typist). 25% posts are to be filled up by promotion from regular Group `D" employees (15% by simple test and 10% by seniority-cum-fitness).

3. In the impugned judgment and order, the learned Single Judge had directed the Delhi Development Authority to conduct a typing test for the appellants and such of them who clear the typing test, should be inducted as LDC. The typing test was directed to be held within 12 weeks.

4. It is submitted by learned counsel for the appellants that there is no requirement of any typing test and he has drawn our attention to some circulars issued by the Delhi Development Authority, which have been annexed with the original writ petition.

5. We are of the opinion that the post being that of a LCD-cum-typist, there is no doubt that the appellants in order to qualify would have to undergo a typing test. Even under the instructions issued by the Government of India dated 29th September, 1992 and 14th September, 1995, relied upon by learned counsel for the appellants, exemption may be granted from passing the typing test provided that at least two genuine attempts are made for passing the typing test. Thus, it is essential for the appellants to at least undertake the typing test. The Recruitment Regulation mention a `simple test' but that has not been defined. Learned counsel for the Delhi Development Authority has informed us that the Delhi Development Authority is willing to conduct a typing test and would try to make it as simple as possible.

6. Although we are a little unhappy to note that the order passed by the learned Single Judge has not yet been implemented by the Delhi Development Authority, we do not wish to comment any further on this. We, however, reiterate the directions that the Delhi Development Authority should conduct a simple typing test within 12 weeks from today and such of the appellants, who clear the typing test, would, of course, be appointed as LDC-cum-typist as per the extant Rules.

7. The review petition is disposed of.

Madan B. Lokur, J

October 12, 2007 **S. Muralidhar, J**
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